

§ 630.101

- 630.1011 Prohibition of coercion.
- 630.1012 Records and reports.
- 630.1013 Participation in voluntary leave transfer and leave bank programs.
- 630.1014 Movement between voluntary leave bank programs.
- 630.1015 Movement between voluntary leave bank and leave transfer programs.
- 630.1016 Termination of a voluntary leave bank program.

Subpart K—Emergency Leave Transfer Program

- 630.1101 Purpose, applicability, and administration.
- 630.1102 Definitions.
- 630.1103 Establishment of an emergency leave transfer program.
- 630.1104 Donations from a leave bank to an emergency leave transfer program.
- 630.1105 Application to become an emergency leave recipient.
- 630.1106 Agency review of an application to become an emergency leave recipient.
- 630.1107 Notification of approval or disapproval of an application to become an emergency leave recipient.
- 630.1108 Use of available paid leave.
- 630.1109 Donating annual leave.
- 630.1110 Limitation on the amount of annual leave donated by an emergency leave donor.
- 630.1111 Limitation on the amount of donated annual leave received by an emergency leave recipient.
- 630.1112 Transferring donated annual leave between agencies.
- 630.1113 Using donated annual leave.
- 630.1114 Accrual of leave while using donated annual leave.
- 630.1115 Limitations on the use of donated annual leave.
- 630.1116 Termination of a disaster or emergency.
- 630.1117 Procedures for returning unused donated annual leave to emergency leave donors and leave banks.
- 630.1118 Protection against coercion.

Subpart L—Family and Medical Leave

- 630.1201 Purpose, applicability, and administration.
- 630.1202 Definitions.
- 630.1203 Leave entitlement.
- 630.1204 Intermittent leave or reduced leave schedule.
- 630.1205 Substitution of paid leave.
- 630.1206 Notice of leave.
- 630.1207 Medical certification.
- 630.1208 Protection of employment and benefits.
- 630.1209 Health benefits.
- 630.1210 Greater leave entitlements.
- 630.1211 Records and reports.

5 CFR Ch. I (1–1–09 Edition)

Subpart M—Reservist Leave Bank Program

- 630.1301 Purpose and applicability.
- 630.1302 Definitions.
- 630.1303 Identifying eligible returnees.
- 630.1304 Receipt, processing, and transfer of leave.
- 630.1305 Limitations on contribution of annual leave.
- 630.1306 Prohibition of coercion.
- 630.1307 Crediting annual leave accounts of eligible returnees.
- 630.1308 Use of annual leave contributed under this program.
- 630.1309 Records and reports.

AUTHORITY: 5 U.S.C. 6311; § 630.205 also issued under Pub. L. 108–411, 118 Stat. 2312; § 630.301 also issued under Pub. L. 103–356, 108 Stat. 3410 and Pub. L. 108–411, 118 Stat. 2312; § 630.303 also issued under 5 U.S.C. 6133(a); §§ 630.306 and 630.308 also issued under 5 U.S.C. 6304(d)(3), Pub. L. 102–484, 106 Stat. 2722, and Pub. L. 103–337, 108 Stat. 2663; subpart D also issued under Pub. L. 103–329, 108 Stat. 2423; § 630.501 and subpart F also issued under E.O. 11228, 30 FR 7739, 3 CFR, 1974 Comp., p. 163; subpart G also issued under 5 U.S.C. 6305; subpart H also issued under 5 U.S.C. 6326; subpart I also issued under 5 U.S.C. 6332, Pub. L. 100–566, 102 Stat. 2834, and Pub. L. 103–103, 107 Stat. 1022; subpart J also issued under 5 U.S.C. 6362, Pub. L. 100–566, and Pub. L. 103–103; subpart K also issued under Pub. L. 105–18, 111 Stat. 158; subpart L also issued under 5 U.S.C. 6387 and Pub. L. 103–3, 107 Stat. 23; and subpart M also issued under 5 U.S.C. 6391 and Pub. L. 102–25, 105 Stat. 92.

SOURCE: 33 FR 12475, Sept. 4, 1968, unless otherwise noted.

Subpart A—General Provisions

§ 630.101 Responsibility for administration.

The head of an agency having employees subject to this part is responsible for the proper administration of this part so far as it pertains to employees under his jurisdiction, and for maintaining an account of leave for each employee in accordance with methods prescribed by the General Accounting Office.

[34 FR 13655, Aug. 26, 1969]

Subpart B—Definitions and General Provisions for Annual and Sick Leave

§ 630.201 Definitions.

(a) In section 6301(2)(iii) of title 5, United States Code, the term *temporary*

Office of Personnel Management

§ 630.205

employee engaged in construction work at an hourly rate means an employee hired on a temporary basis solely for the purpose of work on a specific construction project and paid on an hourly rate.

(b) In subparts B through G of this part:

Accrued leave means the leave earned by an employee during the current leave year that is unused at any given time in that year.

Accumulated leave means the unused leave remaining to the credit of an employee at the beginning of the leave year.

Agency means an Executive agency, as defined in 5 U.S.C. 105, and any other entity of the Federal Government that employs officers and employees to whom subchapter I of chapter 63 of title 5, United States Code, applies.

Employee means an employee to whom subchapter I of chapter 63 of title 5, United States Code, applies.

Family member means the following relatives of the employee:

- (1) Spouse, and parents thereof;
- (2) Children, including adopted children and spouses thereof;
- (3) Parents;
- (4) Brothers and sisters, and spouses thereof; and
- (5) Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Health care provider has the meaning given that term in § 630.1202.

Leave year means the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

Medical certificate means a written statement signed by a registered practicing physician or other practitioner certifying to the incapacitation, examination, or treatment, or to the period of disability while the patient was receiving professional treatment.

Serious health condition has the meaning given that term in § 630.1202.

Uncommon tour of duty means an established tour of duty that exceeds 80 hours of work in a biweekly pay period, provided the tour—

(1) Includes hours for which the employee is compensated by standby duty pay under 5 U.S.C. 5545(c)(1) and § 550.141 of this chapter;

(2) Is a regular tour of duty (as defined in § 550.1302 of this chapter) established for firefighters compensated under 5 U.S.C. 5545b and part 550, subpart M, of this chapter; or

(3) Is authorized for a category of employees by the Office of Personnel Management.

United States means the several States and the District of Columbia.

[61 FR 64450, Dec. 5, 1996, as amended at 63 FR 64595, Nov. 23, 1998; 65 FR 37239, June 13, 2000; 71 FR 54570, Sept. 18, 2006]

§ 630.202 Full biweekly pay period; leave earnings.

(a) *Full-time employees.* A full-time employee earns leave during each full biweekly pay period while in a pay status or in a combination of a pay status and a nonpay status.

(b) *Part-time employees.* Hours in a pay status in excess of an agency's basic working hours in a pay period are disregarded in computing the leave earnings of a part-time employee.

[33 FR 12475, Sept. 4, 1968, as amended at 55 FR 6595, Feb. 26, 1990]

§ 630.203 Pay periods other than biweekly.

An employee paid on other than a biweekly pay period basis earns leave on a pro rata basis for a full pay period.

§ 630.204 Fractional pay periods.

When an employee's service is interrupted by a non-leave-earning period, he earns leave on a pro rata basis for each fractional pay period that occurs within the continuity of his employment.

§ 630.205 Credit for prior work experience and experience in a uniformed service for determining annual leave accrual rate.

(a) The head of an agency or his or her designee may, at his or her sole discretion, provide credit for service that otherwise would not be creditable under 5 U.S.C. 6303(a) for the purpose of determining the annual leave accrual rate of an individual receiving his or her first appointment (regardless of